

Attachment A

Citations

1. Federal Personnel Manual ZI - 111
Federal Employees Pay Act of 1945, as Amended

Establishment of Basic Workweek

Sec. 604 (a) It shall be the duty of the heads of the several departments and independent establishments and agencies in the executive branch, including Government-owned or controlled corporations and the District of Columbia municipal government, to establish as of the effective date of this Act, for all full time officers and employees in their respective organizations, in the departmental and field services, a basic administrative workweek of forty hours, and to require that the hours of work in such workweek be performed within a period of not more than six of any seven consecutive days.

2. Federal Personnel Manual ZI - 322
Federal Employees Pay Regulations

Regulation to be prescribed by Heads of Departments

Sec. 25.211 Establishment of Basic workweek and regularly scheduled administrative workweek.

a. Heads of departments shall, with respect to each group of full-time employees to whom this subpart applies, establish by regulation:

(1) A basic workweek of 40 hours in length which shall not extend over more than six of any seven consecutive days. Except as provided in paragraph (b) of this section, such regulations shall specify the calendar days constituting the basic workweek and the number of hours of employment for each of such calendar days included within the basic workweek.

3. Public Law 763 - 83rd Congress, app'd 1 Sep 1954

To provide certain employment benefits for employees of the Federal Government and for other purposes.

Sec. 210 (b) Establishment of Basic Workweek;

Sec. 604 (a) of the Federal Employees Pay Act of 1945, as amended, is amended by inserting "(1)" after "(a)" and by adding at the end thereof a new paragraph as follows:

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(2) Except where the head of each such department, establishment, or agency and of the municipal government of the District of Columbia determines that his organization would be seriously handicapped in carrying out its functions or that costs would be substantially increased, he shall provide, with respect to all officers and employees in his organization, (A) that assignments to tours of duty shall be scheduled in advance over periods of not less than one week, (B) that the basic forty-hour workweek shall be scheduled on five days, which shall be Monday through Friday wherever possible, and the two days outside the basic workweek shall be consecutive, (C) that the working hours in each day in the basic workweek shall be the same, (D) that the basic non overtime workday shall not exceed eight hours, (E) that the occurrence of holidays shall not affect the designation of the basic workweek, and (F) that breaks in working hours of more than one hour shall not be scheduled in any basic workday. (Underscoring supplied)

4. Federal Personnel Manual, Chapter H2-2, "Hours of Duty"

Delegation of authority to fix hours of duty within agencies -- Section 12 of the Act of Aug 2, 1946 (Public Law 600, 79th Cong.,; 5 U.S.C. 22a), permits agency heads to delegate authority to take final action on employment, direction and general administration of personnel. This permits greater delegation of authority to fix workweeks than is indicated by the Federal Employees Pay Regulations. Hence, it will be sufficient if the agency head (or an official to whom such authority has been delegated) prescribes by administrative order or regulation the general patterns and rules to govern the fixing of workweeks, delegating to other officials the authority to apply such patterns and rules in scheduling specific workweeks for particular employees or groups. In scheduling basic workweeks and the additional hours of regularly required overtime included in the regularly scheduled administrative workweeks, the calendar days must be specified, as well as the number of hours of employment for each such day.

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